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February 12, 2021

VIA E-MAIL

The Honorable Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Michael Pearse, S3 15 Cr. 616 (AT)

Dear Judge Torres:

On July 3, 2018, on the Government's *ex parte* motion, the Court (Judge Forrest) issued a Post-Indictment Restraining Order (the "Order"), restraining defendant Michael Pearse from transferring, encumbering, or dissipating three real properties in Australia. The Order, as well as the supporting application, signed by AUSA Jennifer Beidel (the "Application"), and the supporting declaration, signed by Special Agent Quoc Tuan Nguyen of the Internal Revenue Service, Criminal Investigation (the "Declaration"), were filed under seal. At this time, the Government respectfully requests that the Order, the Application, and the Declaration be unsealed and docketed.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: /s/ Olga Zverovich
Olga I. Zverovich / Jilan Kamal
Assistant United States Attorneys
212-637-2514 / 2192

GRANTED.

SO ORDERED.

Dated: February 16, 2021
New York, New York

ANALISA TORRES
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

- v. -

MICHAEL PEARSE,

Defendants.

- - - - - x

: UNDER SEAL
:
: EX PARTE POST-INDICTMENT
: RESTRAINING ORDER PURSUANT
: TO 18 U.S.C.
: §§ 981(a)(1)(C) &
: 982(a)(1), 21 U.S.C.
: § 853(e)(1), and 28 U.S.C.
: § 2461(c)
:
: 15 Cr. 616 (KBF)

Upon the application of GEOFFREY S. BERMAN, United States Attorney for the Southern District of New York, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) & 982(a)(1) and Title 28, United States Code, Section 2461(c), based on the Affidavit of Special Agent Quoc Tuan Nguyen of the United States Internal Revenue Service, executed on June 15, 2018, and upon a finding of probable cause that the Subject Properties, defined below, are subject to forfeiture and restraint pursuant to Title 21, United States Code, Section 853(e)(1),

IT IS HEREBY ORDERED that MICHAEL PEARSE, the defendant, and all attorneys, agents, and employees, and anyone acting on the behalf of the defendant, and all persons or entities in active concert or participation with any of the

above, and all persons or entities having knowledge of this Order, shall not take any action prohibited by this Order.

IT IS FURTHER ORDERED that MICHAEL PEARSE, the defendant, and all attorneys, agents, and employees, and anyone acting on the behalf of the defendant, and all persons or entities in active concert or participation with any of the above, and all persons or entities having knowledge of this Order, shall not, directly or indirectly, transfer, sell, assign, pledge, hypothecate, encumber, or dispose of in any manner; cause to be transferred, sold, assigned, pledged, hypothecated, encumbered, disposed of in any manner; or take, or cause to be taken, any action that would have the effect of depreciating, damaging, or in any way diminishing the value of the following property:

a. Real Property located at 268 Mount Irvine Road, Mount Irvine, NSW, 2786, Australia, also known as Lot Plan LD/DP391063 ("Subject Investment-1");

b. Real Property located at 302/6 Belvoir Street, Surry Hills, NSW, 2010, Australia, also known as Certificate of Title Folio Identifier 12/SP62117 and 52/SP62117 and Property Number 2114569 ("Subject Investment-2"); and

c. Real property located at Unit 322 Seascape,

Hervey Bay, Queensland, Australia, also known as Lot 322, Plan 225553, County March ("Subject Investment-3") (collectively, the "Subject Properties").

IT IS FURTHER ORDERED that the United States Attorney's Office for the Southern District of New York, in its discretion, is authorized to direct the release of the Subject Properties restrained herein;

IT IS FURTHER ORDERED that any person or entity claiming an interest in the assets listed in this Order may contact the following Assistant United States Attorneys to clarify the scope of the Order: Assistant United States Attorneys Jennifer L. Beidel and Olga Zverovich, Telephone Numbers (212) 637-2212/2514, respectively. Those persons or entities will not be deemed in violation of this Order for any transactions undertaken upon approval made in writing by Assistant United States Attorneys Beidel and/or Zverovich;

IT IS FURTHER ORDERED that this Restraining Order shall be binding upon the defendant, his attorneys, agents, and employees, and all persons in active concert or participation with any of the above, or any other person having knowledge of this Order, and that this Order shall remain in effect until further order of this Court;

IT IS FURTHER ORDERED that service of a copy of this Order shall be made on the defendant or his attorneys by regular mail; and

IT IS FURTHER ORDERED that this Restraining Order and all papers submitted therewith shall be maintained under seal until such time as the unsealing of the above-captioned criminal Indictment, except that the United States Attorney's Office or its designee(s) may provide copies of this Order to any person in order to facilitate the execution of this Restraining Order, including any relevant financial institutions, the defendants, and/or the Australian authorities via a Mutual Legal Assistance Treaty request and except that the Government may provide copies of the Restraining Order and the Affidavit as required by its discovery obligations, including Rule 16, of the Federal Rules of Criminal Procedure.

Dated: New York, New York
7/3, 2018

SO ORDERED:



HONORABLE KATHERINE B. FORREST
UNITED STATES DISTRICT JUDGE